



0831-06

IFW

USSN 10/607,538
Atty. Dkt. No. 058951-0167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Caius Rommens *et al.*
Title: PRECISE BREEDING
Appl. No.: 10/607,538
Filing Date: 06/27/2003
Examiner: David T. Fox
Art Unit: 1638
Confirm. No. 5766

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EL 962424211US (Express Mail Label Number)	8/30/06 (Date of Deposit)
<i>Abiodun Arobi</i> (Printed Name)	
<i>AA</i> (Signature)	

SUPPLEMENTAL RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated May 23, 2006, concerning the above-referenced patent application. Since Applicants timely filed their response on August 23, 2006, they believe no extension of time or fee is needed to accompany this supplemental paper. Nevertheless, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Remarks begin on page 2.

REMARKS

Applicants filed a *bona fide* response to the non-final office action on August 23, 2006. Applicants append a courtesy copy of that filing to this supplemental paper.

The Declaration under 37 C.F.R. §1.132 that was filed at that time, inadvertently omitted the Declarant's signature. Applicants therefore resubmit an identical and executed copy of that Declaration to be matched with the Patent Office's file wrapper.

Applicants invite Examiner Fox to contact the undersigned by telephone if he has any questions or to expedite any aspect of prosecution.

Respectfully submitted,

Date August 30, 2006
FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

By R.C. Peet
Richard C. Peet, Reg. No. 35,792
Vid Mohan-Ram
Vid Mohan-Ram, Reg. No. 55,459



Receipt of the following is hereby acknowledged by the stamp below.

Title: PRECISE BREEDING

Inventor(s): Caius Rommens et al.

Dkt. No. 058951-0167

Appl. No.: 10/607,538

RCP (8/23/06)

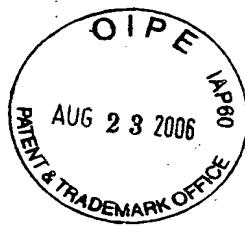
- Amendment (24 pgs.);
- Amendment Transmittal (3 pgs.);
- Terminal Disclaimer with Exhibits A-B (31 pgs.)
- Declaration (unsigned) with Exhibits 1-5 (26 pgs.)
- Credit Card Payment Form for \$130.00 (1 pg.).

Due Date: 8/23/06

Attorney Initials: RCP/VSM

Date Filed: 6/27/06

Insp. By:





Atty. Dkt. No. 058951-0167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Caius Rommens et al.
Title: PRECISE BREEDING
Appl. No.: 10/607,538
Filing Date: 6/27/2003
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EL 962424168US (Express Mail Label Number)	8/23/06 (Date of Deposit)
<u>Charles J. Schreck</u> (Printed Name)	
<u>Charles J. Schreck</u> (Signature)	

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

Assertion of Small Entity status is enclosed.

The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra			Additional Claims Fee
			Claims Present	Rate		
Total Claims:	17	-	44	=	0	x \$50.00 = \$0.00
Independent Claims:	2	-	17	=	0	x \$200.00 = \$0.00

First presentation of any Multiple Dependent Claims: +	\$360.00	=	\$0.00
		CLAIMS FEE TOTAL	=
		\$0.00	

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$120.00	\$0.00
[] Extension for response filed within the second month:	\$450.00	\$0.00
[] Extension for response filed within the third month:	\$1,020.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		
[X] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$130.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		
[] Small Entity Fees Apply (subtract ½ of above):		\$0.00
Extension Fees Previously Paid:		
TOTAL FEE: \$130.00		

A credit card payment form in the amount of \$130.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Atty. Dkt. No. 058951-0167

Respectfully submitted,

Date

August 23, 2006

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

By

R.C. Peet

Richard C. Peet, Reg. No. 35,792
Vid Mohan-Ram, Reg. No. 55,459